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Attorneys for Defendant,  
Patrick Byrne

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

ROBERT HUNTER BIDEN, an  
individual,

Plaintiff,

vs.

PATRICK M. BYRNE, an individual,

Defendant.

Case No.: 2:23-cv-09430-SVW-PD  
Judge: Honorable Stephen V. Wilson  
Courtroom: "10A"

Complaint Filed: November 8, 2023

**DECLARATION OF MICHAEL C. MURPHY, ESQ. IN SUPPORT OF DEFENDANT PATRICK BYRNE'S MOTION IN LIMINE NO. 3 TO EXCLUDE ANY TESTIMONY OR EVIDENCE OF PLAINTIFF'S ALLEGED LOST SALES AND BUSINESS OPPORTUNITIES**

Date: November 25, 2024  
Time: 3:00 p.m.  
Courtroom: "10A"

1 I, Michael C. Murphy, Esq., declares as follows:

2 1. I am an attorney duly authorized and licensed to practice law before  
3 this Court and all the state courts located throughout the State of California. I am  
4 an attorney with the Law Offices of Michael C. Murphy, attorneys of record for  
5 Defendant Patrick Byrne. This Declaration is executed in support of Defendant's  
6 Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment.  
7 I have personal knowledge of the facts stated in this Declaration and if called upon  
8 to testify, I would competently do so.

9 2. On November 8, 2023, Plaintiff Robert Hunter Biden ("Plaintiff")  
10 filed his complaint alleging a single cause of action for defamation per se.

11 3. On February 13, 2024, Defendant Patrick Byrne ("Defendant") filed  
12 his answer and affirmative defenses.

13 4. Plaintiff intends to offer into evidence during trial to prove up his  
14 claimed lost profits from book sales and art sales that he claims Defendant caused  
15 from his defamatory statements only raw data sales records without more. These  
16 raw data sales records cannot be authenticated by him because he did not prepare  
17 them, they contain inadmissible hearsay, and he cannot rely on raw sales alone  
18 without more to prove up lost profits.

19 I declare under penalty of perjury under the laws of the United States of  
20 America that the foregoing is true and correct. This Declaration was executed on  
21 November 6, 2024, at Westlake Village, CA.

22 By: /s/ Michael C. Murphy, Esq.  
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